

**EIGHTY-SIXTH GENERAL ASSEMBLY**  
**2015 REGULAR SESSION**  
**DAILY**  
**HOUSE CLIP SHEET**  
MAY 20, 2015  
**SENATE FILE 510**

**H-1365**

1 Amend Senate File 510, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:

<DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

7 Section 1. BUDGET PROCESS FOR FISCAL YEAR 2016-2017  
8 AND FISCAL YEAR 2017-2018.

9 1. For the budget process applicable to the fiscal  
10 year beginning July 1, 2016, on or before October 1,  
11 2015, in lieu of the information specified in section  
12 8.23, subsection 1, unnumbered paragraph 1, and  
13 paragraph "a", all departments and establishments of  
14 the government shall transmit to the director of the  
15 department of management, on blanks to be furnished  
16 by the director, estimates of their expenditure  
17 requirements, including every proposed expenditure, for  
18 the ensuing fiscal year, together with supporting data  
19 and explanations as called for by the director of the  
20 department of management after consultation with the  
21 legislative services agency.

22 2. The estimates of expenditure requirements  
23 shall be in a form specified by the director of  
24 the department of management, and the expenditure  
25 requirements shall include all proposed expenditures  
26 and shall be prioritized by program or the results to  
27 be achieved. The estimates shall be accompanied by  
28 performance measures for evaluating the effectiveness  
29 of the programs or results.

30 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS  
31 ---- FY 2015-2016. Notwithstanding the standing  
32 appropriations in the following designated sections for  
33 the fiscal year beginning July 1, 2015, and ending June  
34 30, 2016, the amounts appropriated from the general  
35 fund of the state pursuant to these sections for the  
36 following designated purposes shall not exceed the  
37 following amounts:

38 1. For operational support grants and community  
39 cultural grants under section 99F.11, subsection 3,  
40 paragraph "d", subparagraph (1):  
41 ..... \$ 416,702

42 2. For payment for nonpublic school transportation  
43 under section 285.2:  
44 ..... \$ 8,560,931

45 If total approved claims for reimbursement for  
46 nonpublic school pupil transportation exceed the amount  
47 appropriated in accordance with this subsection, the  
48 department of education shall prorate the amount of  
49 each approved claim.

50 3. For the enforcement of chapter 453D relating to

**H-1365**

1 tobacco product manufacturers under section 453D.8:  
2 ..... \$ 18,416

3 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS

4 ---- FY 2016-2017. Notwithstanding the standing  
5 appropriations in the following designated sections for  
6 the fiscal year beginning July 1, 2016, and ending June  
7 30, 2017, the amounts appropriated from the general  
8 fund of the state pursuant to these sections for the  
9 following designated purposes shall not exceed the  
10 following amounts:

11 1. For operational support grants and community  
12 cultural grants under section 99F.11, subsection 3,  
13 paragraph "d", subparagraph (1):

14 ..... \$ 208,351

15 2. For payment for nonpublic school transportation  
16 under section 285.2:

17 ..... \$ 8,560,931

18 If total approved claims for reimbursement for  
19 nonpublic school pupil transportation exceed the amount  
20 appropriated in accordance with this subsection, the  
21 department of education shall prorate the amount of  
22 each approved claim.

23 3. For the enforcement of chapter 453D relating to  
24 tobacco product manufacturers under section 453D.8:

25 ..... \$ 9,208

26 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID ----

27 FY 2015-2016 ---- FY 2016-2017. In lieu of the  
28 appropriation provided in section 257.20, subsection 2,  
29 the appropriation for the fiscal years beginning July  
30 1, 2015, and July 1, 2016, for paying instructional  
31 support state aid under section 257.20 for such fiscal  
32 years is zero.

33 Sec. 5. GENERAL ASSEMBLY.

34 1. The appropriations made pursuant to section  
35 2.12 for the expenses of the general assembly and  
36 legislative agencies for the fiscal year beginning July  
37 1, 2015, and ending June 30, 2016, are reduced by the  
38 following amount:

39 ..... \$ 5,750,000

40 2. The budgeted amounts for the general assembly  
41 and legislative agencies for the fiscal year beginning  
42 July 1, 2015, may be adjusted to reflect the unexpended  
43 budgeted amounts from the previous fiscal year.

44 3. Annual membership dues for organizations,  
45 associations, and conferences shall not be paid from  
46 moneys appropriated pursuant to section 2.12.

47 4. Costs for out-of-state travel and per diems  
48 for out-of-state travel shall not be paid from moneys  
49 appropriated pursuant to section 2.12.

50 Sec. 6. TECHNOLOGY REINVESTMENT FUND APPROPRIATION

1 ---- LIMITATION. Notwithstanding the standing  
2 appropriation in section 8.57C, subsection 3, paragraph  
3 "a", for the fiscal year beginning July 1, 2015,  
4 and ending June 30, 2016, the amount appropriated  
5 from the general fund of the state to the technology  
6 reinvestment fund shall not exceed the following  
7 amount:

8 ..... \$ 9,000,000

9 Sec. 7. Section 142C.15, subsection 4, paragraph c,  
10 unnumbered paragraph 1, Code 2015, is amended to read  
11 as follows:

12 ~~Not more than fifty percent of the~~ Any unobligated  
13 moneys in the fund annually may be expended in  
14 the form of grants to transplant recipients,  
15 transplant candidates, living organ donors, or  
16 to legal representatives on behalf of transplant  
17 recipients, transplant candidates, or living organ  
18 donors. Transplant recipients, transplant candidates,  
19 living organ donors, or the legal representatives  
20 of transplant recipients, transplant candidates, or  
21 living organ donors shall submit grant applications  
22 with supporting documentation provided by a hospital  
23 that performs transplants, verifying that the person  
24 by or for whom the application is submitted requires a  
25 transplant or is a living organ donor and specifying  
26 the amount of the costs associated with the following,  
27 if funds are not available from any other third-party  
28 payor:

29 Sec. 8. Section 257.35, Code 2015, is amended by  
30 adding the following new subsection:

31 NEW SUBSECTION. 9A. Notwithstanding subsection 1,  
32 and in addition to the reduction applicable pursuant  
33 to subsection 2, the state aid for area education  
34 agencies and the portion of the combined district cost  
35 calculated for these agencies for the fiscal year  
36 beginning July 1, 2015, and ending June 30, 2016, shall  
37 be reduced by the department of management by fifteen  
38 million dollars. The reduction for each area education  
39 agency shall be prorated based on the reduction that  
40 the agency received in the fiscal year beginning July  
41 1, 2003.

42 DIVISION II

43 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

44 Sec. 9. EXECUTIVE COUNCIL ---- APPROPRIATION ----  
45 ORGANIZATIONAL MEMBERSHIP DUES.

46 1. There is appropriated from the general fund of  
47 the state to the executive council for the fiscal year  
48 beginning July 1, 2015, and ending June 30, 2016, the  
49 following amount, or so much thereof as is necessary,  
50 to be used for the purposes designated:

1 For annual membership dues for organizations,  
2 associations, and conferences paid by an executive  
3 branch department or agency:  
4 ..... \$ 500,000

5 2. An executive branch department or agency must  
6 apply to the executive council for approval prior to  
7 beginning a new membership or renewing a membership  
8 in an organization, association, or conference.

9 Upon approval of a new membership or renewal of a  
10 membership, the executive council may transfer moneys  
11 appropriated pursuant to this section to the applicant  
12 executive branch department or agency for purposes of  
13 paying membership dues.

14 Sec. 10. IOWA NEW JOBS TRAINING AGREEMENTS. An  
15 Iowa community college that entered into a new jobs  
16 training agreement pursuant to chapter 260E, which was  
17 effective in April 2012, with an Iowa employer may  
18 enter into a new agreement with such employer pursuant  
19 to chapter 260E, which will be effective September  
20 2015, and may use the base employment determined in  
21 April 2012 as the base employment for determining  
22 the new jobs eligible under the new agreement if the  
23 base employment determined in April 2012 was 2,125  
24 employees. The new agreement under chapter 260E shall  
25 be limited to seven years from the effective date of  
26 the agreement.

27 Sec. 11. Section 8D.4, Code 2015, is amended to  
28 read as follows:

29 8D.4 Executive director appointed.

30 The commission, in consultation with the director  
31 of the department of administrative services and the  
32 chief information officer, shall appoint an executive  
33 director of the commission, subject to confirmation  
34 by the senate. Such individual shall not serve as  
35 a member of the commission. The executive director  
36 shall serve at the pleasure of the commission. The  
37 executive director shall be selected primarily for  
38 administrative ability and knowledge in the field,  
39 without regard to political affiliation. The governor  
40 shall establish the salary of the executive director  
41 within the applicable salary range ~~nine-as~~ established  
42 by the general assembly. The salary and support of the  
43 executive director shall be paid from funds deposited  
44 in the Iowa communications network fund.

45 Sec. 12. NEW SECTION. 70A.40 Elective public  
46 officer contact information.

47 1. Within thirty days of an elective public officer  
48 swearing to an oath of office, the governmental entity  
49 the officer serves shall provide the officer with  
50 designated contact information with the governmental

1 entity. A governmental entity that maintains an  
2 internet site shall cause to be published the contact  
3 information for each of the entity's elective public  
4 officers on the internet site maintained by the entity.  
5 An elective public officer shall provide additional  
6 contact information that would normally be used to make  
7 contact with the officer to the governmental entity to  
8 be published as provided in this section for designated  
9 contact information.

10 2. a. For the purposes of this section, "contact  
11 information" means a telephone number and an electronic  
12 mail address.

13 b. For the purposes of this section, "elective  
14 public officer" or "officer" means all of the following:

- 15 (1) Members of the general assembly.
- 16 (2) Members of a county board of supervisors.
- 17 (3) Members of a city council.
- 18 (4) Members of a board of directors of a school  
19 district.

20 Sec. 13. Section 123.132, subsection 3, as enacted  
21 by 2015 Iowa Acts, [Senate File 456](#), section 1, is  
22 amended to read as follows:

23 3. A container of beer other than the original  
24 container that is sold and sealed in compliance with  
25 the requirements of subsection 2 and the division's  
26 rules shall not be deemed an open container subject to  
27 the requirements of sections 321.284 and 321.284A if  
28 the sealed container is unopened and the seal has not  
29 been tampered with, and the contents of the container  
30 have not been partially removed.

31 DIVISION III

32 SALARIES, COMPENSATION, AND RELATED MATTERS

33 Sec. 14. SALARY MODEL ADMINISTRATOR. The salary  
34 model administrator shall work in conjunction with  
35 the legislative services agency to maintain the  
36 state's salary model used for analyzing, comparing,  
37 and projecting state employee salary and benefit  
38 information, including information relating to  
39 employees of the state board of regents. The  
40 department of revenue, the department of administrative  
41 services, the five institutions under the jurisdiction  
42 of the state board of regents, the judicial district  
43 departments of correctional services, and the state  
44 department of transportation shall provide salary data  
45 to the department of management and the legislative  
46 services agency to operate the state's salary  
47 model. The format and frequency of provision of the  
48 salary data shall be determined by the department of  
49 management and the legislative services agency. The  
50 information shall be used in collective bargaining

1 processes under chapter 20 and in calculating the  
2 funding needs contained within the annual salary  
3 adjustment legislation. A state employee organization  
4 as defined in section 20.3, subsection 4, may request  
5 information produced by the model, but the information  
6 provided shall not contain information attributable to  
7 individual employees.

8 DIVISION IV  
9 CORRECTIVE PROVISIONS

10 Sec. 15. Section 123.122, Code 2015, as amended by  
11 2015 Iowa Acts, [House File 536](#), section 48, is amended  
12 to read as follows:

13 123.122 Permit or license required.

14 A person shall not manufacture for sale or sell  
15 beer at wholesale or retail unless a permit is first  
16 obtained as provided in this subchapter or, a liquor  
17 control license authorizing the retail sale of beer is  
18 first obtained as provided in ~~division~~ subchapter I of  
19 this chapter. A liquor control license holder is not  
20 required to hold a separate class "B" beer permit.

21 Sec. 16. Section 227.10, Code 2015, as amended by  
22 2015 Iowa Acts, [Senate File 463](#), section 53, is amended  
23 to read as follows:

24 227.10 Transfers from county or private  
25 institutions.

26 Patients who have been admitted at public expense  
27 to any institution to which this chapter is applicable  
28 may be involuntarily transferred to the proper  
29 state hospital for persons with mental illness in  
30 the manner prescribed by sections 229.6 to 229.13.  
31 The application required by section 229.6 may be  
32 filed by the administrator of the division or the  
33 administrator's designee, or by the administrator  
34 of the institution where the patient is then being  
35 maintained or treated. If the patient was admitted to  
36 that institution involuntarily, the administrator of  
37 the division may arrange and complete the transfer, and  
38 shall report it as required of a chief medical officer  
39 under section 229.15, subsection 5. The transfer  
40 shall be made at the mental health and ~~disabilities~~  
41 disability services region's expense, and the expense  
42 recovered, as provided in section 227.7. However,  
43 transfer under this section of a patient whose expenses  
44 are payable in whole or in part by a the mental health  
45 and ~~disabilities~~ disability services region is subject  
46 to an authorization for the transfer through the  
47 regional administrator for the patient's county of  
48 residence.

49 Sec. 17. Section 227.14, Code 2015, as amended by  
50 2015 Iowa Acts, [Senate File 463](#), section 56, is amended

1 to read as follows:

2 227.14 Caring for persons with mental illness from  
3 other counties.

4 The regional administrator for a county that does  
5 not have proper facilities for caring for persons  
6 with mental illness may, with the consent of the  
7 administrator of the division, provide for such care  
8 at the expense of the mental health and ~~disabilities~~  
9 disability services region in any convenient and proper  
10 county or private institution for persons with mental  
11 illness which is willing to receive the persons.

12 Sec. 18. Section 229.1B, Code 2015, as amended by  
13 2015 Iowa Acts, [Senate File 463](#), section 59, is amended  
14 to read as follows:

15 229.1B Regional administrator.

16 Notwithstanding any provision of this chapter to the  
17 contrary, any person whose hospitalization expenses  
18 are payable in whole or in part by a mental health  
19 and ~~disabilities~~ disability services region shall be  
20 subject to all administrative requirements of the  
21 regional administrator for the county.

22 Sec. 19. Section 229.2, subsection 1, paragraph b,  
23 subparagraph (3), Code 2015, as amended by 2015 Iowa  
24 Acts, [Senate File 463](#), section 60, is amended to read  
25 as follows:

26 (3) As soon as is practicable after the filing of a  
27 petition for juvenile court approval of the admission  
28 of the minor, the juvenile court shall determine  
29 whether the minor has an attorney to represent the  
30 minor in the hospitalization proceeding, and if not,  
31 the court shall assign to the minor an attorney. If  
32 the minor is financially unable to pay for an attorney,  
33 the attorney shall be compensated by the mental  
34 health and ~~disabilities~~ disability services region  
35 at an hourly rate to be established by the regional  
36 administrator for the county in which the proceeding  
37 is held in substantially the same manner as provided  
38 in section 815.7.

39 Sec. 20. Section 229.8, subsection 1, Code 2015, as  
40 amended by 2015 Iowa Acts, [Senate File 463](#), section 61,  
41 is amended to read as follows:

42 1. Determine whether the respondent has an attorney  
43 who is able and willing to represent the respondent in  
44 the hospitalization proceeding, and if not, whether the  
45 respondent is financially able to employ an attorney  
46 and capable of meaningfully assisting in selecting one.  
47 In accordance with those determinations, the court  
48 shall if necessary allow the respondent to select, or  
49 shall assign to the respondent, an attorney. If the  
50 respondent is financially unable to pay an attorney,



1 the attorney shall be compensated by the mental  
2 health and ~~disabilities~~ disability services region  
3 at an hourly rate to be established by the regional  
4 administrator for the county in which the proceeding  
5 is held in substantially the same manner as provided  
6 in section 815.7.

7 Sec. 21. Section 229.10, subsection 1, paragraph a,  
8 Code 2015, as amended by 2015 Iowa Acts, Senate File  
9 463, section 62, is amended to read as follows:

10 a. An examination of the respondent shall be  
11 conducted by one or more licensed physicians, as  
12 required by the court's order, within a reasonable  
13 time. If the respondent is detained pursuant to  
14 section 229.11, subsection 1, paragraph "b", the  
15 examination shall be conducted within twenty-four  
16 hours. If the respondent is detained pursuant to  
17 section 229.11, subsection 1, paragraph "a" or "c",  
18 the examination shall be conducted within forty-eight  
19 hours. If the respondent so desires, the respondent  
20 shall be entitled to a separate examination by a  
21 licensed physician of the respondent's own choice.  
22 The reasonable cost of the examinations shall, if the  
23 respondent lacks sufficient funds to pay the cost, be  
24 paid by the regional administrator from mental health  
25 and ~~disabilities~~ disability services region funds upon  
26 order of the court.

27 Sec. 22. Section 229.11, subsection 1, unnumbered  
28 paragraph 1, Code 2015, as amended by 2015 Iowa Acts,  
29 Senate File 463, section 63, is amended to read as  
30 follows:

31 If the applicant requests that the respondent  
32 be taken into immediate custody and the judge,  
33 upon reviewing the application and accompanying  
34 documentation, finds probable cause to believe that  
35 the respondent has a serious mental impairment and is  
36 likely to injure the respondent or other persons if  
37 allowed to remain at liberty, the judge may enter a  
38 written order directing that the respondent be taken  
39 into immediate custody by the sheriff or the sheriff's  
40 deputy and be detained until the hospitalization  
41 hearing. The hospitalization hearing shall be held no  
42 more than five days after the date of the order, except  
43 that if the fifth day after the date of the order is a  
44 Saturday, Sunday, or a holiday, the hearing may be held  
45 on the next succeeding business day. If the expenses  
46 of a respondent are payable in whole or in part by  
47 a mental health and ~~disabilities~~ disability services  
48 region, for a placement in accordance with paragraph  
49 "a", the judge shall give notice of the placement to  
50 the regional administrator for the county in which the



1 court is located, and for a placement in accordance  
2 with paragraph "b" or "c", the judge shall order the  
3 placement in a hospital or facility designated through  
4 the regional administrator. The judge may order  
5 the respondent detained for the period of time until  
6 the hearing is held, and no longer, in accordance  
7 with paragraph "a", if possible, and if not then in  
8 accordance with paragraph "b", or, only if neither of  
9 these alternatives is available, in accordance with  
10 paragraph "c". Detention may be:

11 Sec. 23. Section 229.13, subsection 1, paragraph a,  
12 Code 2015, as amended by 2015 Iowa Acts, Senate File  
13 463, section 64, is amended to read as follows:

14 a. The court shall order a respondent whose  
15 expenses are payable in whole or in part by a mental  
16 health and ~~disabilities~~ disability services region  
17 placed under the care of an appropriate hospital or  
18 facility designated through the county's regional  
19 administrator on an inpatient or outpatient basis.

20 Sec. 24. Section 229.14, subsection 2, paragraph a,  
21 Code 2015, as amended by 2015 Iowa Acts, Senate File  
22 463, section 65, is amended to read as follows:

23 a. For a respondent whose expenses are payable in  
24 whole or in part by a mental health and ~~disabilities~~  
25 disability services region, placement as designated  
26 through the county's regional administrator in the care  
27 of an appropriate hospital or facility on an inpatient  
28 or outpatient basis, or other appropriate treatment, or  
29 in an appropriate alternative placement.

30 Sec. 25. Section 229.14A, subsection 7, Code 2015,  
31 as amended by 2015 Iowa Acts, [Senate File 463](#), section  
32 66, is amended to read as follows:

33 7. If a respondent's expenses are payable in  
34 whole or in part by a mental health and ~~disabilities~~  
35 disability services region through the county's  
36 regional administrator, notice of a placement hearing  
37 shall be provided to the county attorney and the  
38 regional administrator. At the hearing, the county may  
39 present evidence regarding appropriate placement.

40 Sec. 26. Section 229.42, subsection 1, Code 2015,  
41 as amended by 2015 Iowa Acts, [Senate File 463](#), section  
42 68, is amended to read as follows:

43 1. If a person wishing to make application for  
44 voluntary admission to a mental hospital established  
45 by chapter 226 is unable to pay the costs of  
46 hospitalization or those responsible for the person are  
47 unable to pay the costs, application for authorization  
48 of voluntary admission must be made through a regional  
49 administrator before application for admission  
50 is made to the hospital. The person's county of

1 residence shall be determined through the regional  
2 administrator and if the admission is approved through  
3 the regional administrator, the person's admission  
4 to a mental health hospital shall be authorized as a  
5 voluntary case. The authorization shall be issued on  
6 forms provided by the department of human services'  
7 administrator. The costs of the hospitalization shall  
8 be paid by the county of residence through the regional  
9 administrator to the department of human services and  
10 credited to the general fund of the state, provided  
11 that the mental health hospital rendering the services  
12 has certified to the county auditor of the county of  
13 residence and the regional administrator the amount  
14 chargeable to the mental health and ~~disabilities~~  
15 disability services region and has sent a duplicate  
16 statement of the charges to the department of human  
17 services. A mental health and ~~disabilities~~ disability  
18 services region shall not be billed for the cost of a  
19 patient unless the patient's admission is authorized  
20 through the regional administrator. The mental health  
21 institute and the regional administrator shall work  
22 together to locate appropriate alternative placements  
23 and services, and to educate patients and family  
24 members of patients regarding such alternatives.

25 Sec. 27. Section 230.1, subsection 3, Code 2015, as  
26 amended by 2015 Iowa Acts, [Senate File 463](#), section 69,  
27 is amended to read as follows:

28 3. A mental health and ~~disabilities~~ disability  
29 services region or county of residence is not liable  
30 for costs and expenses associated with a person with  
31 mental illness unless the costs and expenses are for  
32 services and other support authorized for the person  
33 through the county's regional administrator. For the  
34 purposes of this chapter, "regional administrator" means  
35 the same as defined in section 331.388.

36 Sec. 28. Section 230.20, subsection 2, paragraph b,  
37 Code 2015, as amended by 2015 Iowa Acts, Senate File  
38 463, section 71, is amended to read as follows:

39 b. The per diem costs billed to each mental health  
40 and ~~disabilities~~ disability services region shall  
41 not exceed the per diem costs billed to the county  
42 in the fiscal year beginning July 1, 1996. However,  
43 the per diem costs billed to a mental health and  
44 ~~disabilities~~ disability services region may be adjusted  
45 annually to reflect increased costs, to the extent of  
46 the percentage increase in the statewide per capita  
47 expenditure target amount, if any per capita growth  
48 amount is authorized by the general assembly for the  
49 fiscal year in accordance with section 426B.3.

50 Sec. 29. Section 279.10, subsection 1, Code 2015,

1 as amended by 2015 Iowa Acts, Senate File 227, section  
2 2, is amended to read as follows:

3 1. The school year for each school district and  
4 accredited nonpublic school shall begin on July 1 and  
5 the school calendar shall begin no sooner than August  
6 23 and no later than the first Monday in December.  
7 The school calendar shall include not less than one  
8 hundred eighty days, ~~except as provided in subsection~~  
9 ~~3,~~ or one thousand eighty hours of instruction during  
10 the calendar year. The board of directors of a school  
11 district and the authorities in charge of an accredited  
12 nonpublic school shall determine the school start  
13 date for the school calendar in accordance with this  
14 subsection and shall set the number of days or hours of  
15 required attendance for the school year as provided in  
16 section 299.1, subsection 2, but the board of directors  
17 of a school district shall hold a public hearing on  
18 any proposed school calendar prior to adopting the  
19 school calendar. If the board of directors of a  
20 district or the authorities in charge of an accredited  
21 nonpublic school extends the school calendar because  
22 inclement weather caused the school district or  
23 accredited nonpublic school to temporarily close during  
24 the regular school calendar, the school district or  
25 accredited nonpublic school may excuse a graduating  
26 senior who has met district or school requirements for  
27 graduation from attendance during the extended school  
28 calendar. A school corporation may begin employment  
29 of personnel for in-service training and development  
30 purposes before the date to begin elementary and  
31 secondary school.

32 Sec. 30. Section 426B.5, subsection 2, paragraph c,  
33 Code 2015, as amended by 2015 Iowa Acts, Senate File  
34 463, section 78, is amended to read as follows:

35 c. A risk pool board is created. The board  
36 shall consist of two county supervisors, two county  
37 auditors, a member of the mental health and disability  
38 services commission who is not a member of a county  
39 board of supervisors, a member of the county finance  
40 committee created in chapter 333A who is not an elected  
41 official, a representative of a provider of mental  
42 health or developmental disabilities services selected  
43 from nominees submitted by the Iowa association of  
44 community providers, and two staff members of regional  
45 administrators of county mental health and disability  
46 services regions, all appointed by the governor, and  
47 one member appointed by the director of human services.  
48 All members appointed by the governor shall be subject  
49 to confirmation by the senate. Members shall serve for  
50 three-year terms. A vacancy shall be filled in the

1 same manner as the original appointment. Expenses and  
2 other costs of the risk pool board members representing  
3 counties shall be paid by the county of origin.  
4 Expenses and other costs of risk pool board members  
5 who do not represent counties shall be paid from a  
6 source determined by the governor. Staff assistance  
7 to the board shall be provided by the department of  
8 human services and counties. Actuarial expenses and  
9 other direct administrative costs shall be charged to  
10 the pool.

11 Sec. 31. Section 459A.302, subsection 1, paragraph  
12 a, unnumbered paragraph 1, Code 2015, as amended by  
13 2015 Iowa Acts, [House File 583](#), section 33, if enacted,  
14 is amended to read as follows:

15 Prior to constructing a settled open feedlot  
16 effluent basin or an animal truck wash effluent  
17 structure, the site for the basin or structure shall  
18 be investigated for a drainage tile line by the owner  
19 of the open feedlot operation or animal truck wash  
20 facility. The investigation shall be made by digging  
21 a core trench to a depth of at least six feet deep from  
22 ground level at the projected center of the berm of  
23 the basin or structure. If a drainage tile line is  
24 discovered, one of the following solutions shall be  
25 implemented:

26 Sec. 32. Section 459A.302, subsection 2, paragraph  
27 a, Code 2015, as amended by 2015 Iowa Acts, House File  
28 583, section 34, if enacted, is amended to read as  
29 follows:

30 a. The settled open feedlot effluent basin or  
31 ~~an~~ animal truck wash effluent structure shall be  
32 constructed with a minimum separation of two feet  
33 between the top of the liner of the basin or structure  
34 and the seasonal high-water table.

35 Sec. 33. Section 459A.404, subsection 3, paragraphs  
36 b and c, if enacted by 2015 Iowa Acts, [House File 583](#),  
37 section 41, are amended to read as follows:

38 b. For purposes of section 459.310, subsection 4,  
39 the provisions relating to an unformed manure storage  
40 structure shall apply to an unformed animal truck wash  
41 effluent structure and the provisions relating to a  
42 formed manure storage structure shall apply to a formed  
43 animal truck wash effluent structure. However, the

44 ~~e. Notwithstanding section 459.310, subsection~~  
45 ~~4, a requirement in section 459.310, subsection 4,~~  
46 paragraph "a", relating to animal weight capacity or  
47 animal unit capacity shall not apply to the replacement  
48 of an unformed animal truck wash effluent structure  
49 with a formed animal truck wash effluent structure. In  
50 addition, the capacity of a replacement animal truck

1 wash effluent structure shall not exceed the amount  
2 required to store animal truck wash effluent for any  
3 eighteen-month period.

4 Sec. 34. Section 459A.411, Code 2015, as amended by  
5 2015 Iowa Acts, [House File 583](#), section 43, if enacted,  
6 is amended to read as follows:

7 459A.411 Discontinuance of operations.

8 The owner of an open feedlot operation or animal  
9 truck wash facility who discontinues its operation  
10 shall remove all effluent from related open feedlot  
11 operation structures or animal truck wash effluent  
12 structures used to store effluent, as soon as practical  
13 but not later than six months following the date the  
14 operations of the open feedlot operation or animal  
15 truck wash facility ~~is~~ are discontinued.

16 Sec. 35. Section 476.53, subsection 3, paragraph a,  
17 subparagraph (1), Code 2015, as amended by 2015 Iowa  
18 Acts, [House File 535](#), section 61, is amended to read  
19 as follows:

20 (1) (a) Files an application pursuant to section  
21 476A.3 to construct in Iowa a baseload electric  
22 power generating facility with a nameplate generating  
23 capacity equal to or greater than three hundred  
24 megawatts or a combined-cycle electric power generating  
25 facility, or an alternate energy production facility as  
26 defined in section 476.42, or to significantly alter  
27 an existing generating facility. For purposes of this  
28 subparagraph, a significant alteration of an existing  
29 generating facility must, in order to qualify for  
30 establishment of ratemaking principles, fall into one  
31 of the following categories:

32 (i) Conversion of a coal fueled facility into a gas  
33 fueled facility.

34 (ii) Addition of carbon capture and storage  
35 facilities at a coal fueled facility.

36 (iii) Addition of gas fueled capability to a coal  
37 fueled facility, in order to convert the facility  
38 to one that will rely primarily on gas for future  
39 generation.

40 (iv) Addition of a biomass fueled capability to a  
41 coal fueled facility.

42 (b) With respect to a significant alteration of  
43 an existing generating facility, an original facility  
44 shall not be required to be either a baseload or  
45 a combined-cycle facility. Only the incremental  
46 investment undertaken by a utility under subparagraph  
47 division (a), subparagraph subdivision (i), (ii),  
48 (iii), or (iv) shall be eligible to apply the  
49 ratemaking principles established by the order issued  
50 pursuant to paragraph "e". Facilities for which

1 advanced ratemaking principles are obtained pursuant  
2 to this section shall not be subject to a subsequent  
3 board review pursuant to section 476.6, subsection 20,  
4 to the extent that the investment has been considered  
5 by the board under this section. To the extent an  
6 eligible utility has been authorized to make capital  
7 investments subject to section 476.6, subsection 20,  
8 such investments shall not be eligible for ratemaking  
9 principles pursuant to this section.

10 Sec. 36. Section 602.3205, subsection 3, paragraph  
11 b, if enacted by 2015 Iowa Acts, [Senate File 404](#),  
12 section 5, is amended to read as follows:

13 b. The audio recordings provided ~~in~~ to the board  
14 pursuant to this subsection shall be kept confidential  
15 by the board in a manner as provided in section 272C.6,  
16 subsection 4.

17 Sec. 37. Section 602.11113, Code 2015, as amended  
18 by 2015 Iowa Acts, [House File 536](#), section 177, is  
19 amended to read as follows:

20 602.11113 Bailiffs employed as court attendants.

21 Persons who were employed as bailiffs and who  
22 were performing services for the court, other than  
23 law enforcement services, immediately prior to July  
24 1, 1983, shall be employed by the district court  
25 administrators as court attendants under section  
26 602.6601 on July 1, 1983.

27 Sec. 38. Section 714.23, subsection 4A, paragraph  
28 a, if enacted by 2015 Iowa Acts, [Senate File 501](#),  
29 section 2, or 2015 Iowa Acts, [House File 663](#), section  
30 2, is amended to read as follows:

31 a. A student who does not receive a tuition refund  
32 up to the full refund of tuition charges due to the  
33 effect of an interstate reciprocity agreement under  
34 section 261G.4, subsection 1, may apply to the attorney  
35 general for a refund in a sum that represents the  
36 difference between any tuition refund received from the  
37 school and the full refund of tuition charges. For  
38 purposes of this subsection, "full refund of tuition  
39 charges" means the monetary sum of the refund for  
40 which the student would be eligible pursuant to the  
41 application of this section.

42 Sec. 39. Section 902.1, subsection 2, paragraph  
43 a, unnumbered paragraph 1, as enacted by 2015 Iowa  
44 Acts, [Senate File 448](#), section 1, is amended to read  
45 as follows:

46 Notwithstanding subsection 1, a defendant convicted  
47 of murder in the first degree in violation of section  
48 707.2, and who was under the age of eighteen at the  
49 time the offense was committed shall receive one of the  
50 following sentences:

1 Sec. 40. Section 916.1, subsection 1, as enacted by  
2 2015 Iowa Acts, [House File 496](#), section 1, is amended  
3 to read as follows:

4 1. "Confidential communication" means confidential  
5 information shared between a victim and a military  
6 victim advocate within the advocacy relationship, and  
7 includes all information received by the advocate  
8 and any advice, report, or working paper given to  
9 or prepared by the advocate in the course of the  
10 advocacy relationship with the victim. "Confidential  
11 information" is ~~confidential~~ information which, so  
12 far as the victim is aware, is not disclosed to a  
13 third party with the exception of a person present  
14 in the consultation for the purpose of furthering the  
15 interest of the victim, a person to whom disclosure  
16 is reasonably necessary for the transmission of the  
17 information, or a person with whom disclosure is  
18 necessary for accomplishment of the purpose for which  
19 the advocate is consulted by the victim.

20 Sec. 41. APPLICABILITY. The section of this  
21 division of this Act amending section 279.10,  
22 subsection 1, applies retroactively to April 10, 2015.

23 Sec. 42. APPLICABILITY. The section of this  
24 division of this Act amending section 902.1, subsection  
25 2, paragraph "a", unnumbered paragraph 1, applies  
26 retroactively to the effective date of 2015 Iowa Acts,  
27 [Senate File 448](#).

28 DIVISION V

29 CONTROLLED SUBSTANCES

30 Sec. 43. Section 124.101, Code 2015, is amended by  
31 adding the following new subsection:

32 NEW SUBSECTION. 15A. "Imitation controlled  
33 substance" means a substance which is not a controlled  
34 substance but which by color, shape, size, markings,  
35 and other aspects of dosage unit appearance, and  
36 packaging or other factors, appears to be or resembles  
37 a controlled substance. The board of pharmacy may  
38 designate a substance as an imitation controlled  
39 substance pursuant to the board's rulemaking authority  
40 and in accordance with chapter 17A. "Imitation  
41 controlled substance" also means any substance  
42 determined to be an imitation controlled substance  
43 pursuant to section 124.101B.

44 Sec. 44. NEW SECTION. 124.101B Factors indicating  
45 an imitation controlled substance.

46 If a substance has not been designated as an  
47 imitation controlled substance by the board of pharmacy  
48 and if dosage unit appearance alone does not establish  
49 that a substance is an imitation controlled substance,  
50 the following factors may be considered in determining



1 whether the substance is an imitation controlled  
2 substance:

3 1. The person in control of the substance expressly  
4 or impliedly represents that the substance has the  
5 effect of a controlled substance.

6 2. The person in control of the substance expressly  
7 or impliedly represents that the substance because  
8 of its nature or appearance can be sold or delivered  
9 as a controlled substance or as a substitute for a  
10 controlled substance.

11 3. The person in control of the substance either  
12 demands or receives money or other property having a  
13 value substantially greater than the actual value of  
14 the substance as consideration for delivery of the  
15 substance.

16 Sec. 45. Section 124.201, subsection 4, Code 2015,  
17 is amended to read as follows:

18 4. If any new substance is designated as a  
19 controlled substance under federal law and notice of  
20 the designation is given to the board, the board shall  
21 similarly designate as controlled the new substance  
22 under this chapter after the expiration of thirty days  
23 from publication in the federal register of a final  
24 order designating a new substance as a controlled  
25 substance, unless within that thirty-day period the  
26 board objects to the new designation. In that case  
27 the board shall publish the reasons for objection and  
28 afford all interested parties an opportunity to be  
29 heard. At the conclusion of the hearing the board  
30 shall announce its decision. Upon publication of  
31 objection to a new substance being designated as a  
32 controlled substance under this chapter by the board,  
33 control under this chapter is stayed until the board  
34 publishes its decision. If a substance is designated  
35 as controlled by the board under this subsection the  
36 control shall be considered a temporary and if, within  
37 sixty days after the next regular session of the  
38 general assembly convenes, the general assembly has not  
39 made the corresponding changes in this chapter, the  
40 temporary designation of control of the substance by  
41 the board shall be nullified amendment to the schedules  
42 of controlled substances in this chapter. If the  
43 board so designates a substance as controlled, which  
44 is considered a temporary amendment to the schedules  
45 of controlled substances in this chapter, and if  
46 the general assembly does not amend this chapter to  
47 enact the temporary amendment and make the enactment  
48 effective within two years from the date the temporary  
49 amendment first became effective, the temporary  
50 amendment is repealed by operation of law two years

1 from the effective date of the temporary amendment. A  
2 temporary amendment repealed by operation of law is  
3 subject to section 4.13 relating to the construction  
4 of statutes and the application of a general savings  
5 provision.

6 Sec. 46. Section 124.204, subsection 4, paragraph  
7 ai, subparagraphs (3), (4), and (5), Code 2015, are  
8 amended by striking the subparagraphs.

9 Sec. 47. Section 124.204, subsection 4, paragraph  
10 aj, Code 2015, is amended by striking the paragraph and  
11 inserting in lieu thereof the following:

12 aj. 5-methoxy-N,N-dimethyltryptamine.

13 Some trade or other names:

14 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.

15 Sec. 48. Section 124.204, subsection 4, paragraph  
16 ak, Code 2015, is amended by striking the paragraph and  
17 inserting in lieu thereof the following:

18 ak. 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine  
19 (2C-E).

20 Sec. 49. Section 124.204, subsection 4, Code 2015,  
21 is amended by adding the following new paragraphs:

22 NEW PARAGRAPH. al. 2-(2,5-Dimethoxy-4-  
23 methylphenyl)ethanamine (2C-D).

24 NEW PARAGRAPH. am. 2-(4-Chloro-2,5-  
25 dimethoxyphenyl)ethanamine (2C-C).

26 NEW PARAGRAPH. an. 2-(4-Iodo-2,5-  
27 dimethoxyphenyl)ethanamine (2C-I).

28 NEW PARAGRAPH. ao. 2-[4-(Ethylthio)-2,5-  
29 dimethoxyphenyl]ethanamine (2C-T-2).

30 NEW PARAGRAPH. ap. 2-[4-(Isopropylthio)-2,5-  
31 dimethoxyphenyl]ethanamine (2C-T-4).

32 NEW PARAGRAPH. aq. 2-(2,5-Dimethoxyphenyl)  
33 ethanamine (2C-H).

34 NEW PARAGRAPH. ar. 2-(2,5-Dimethoxy-4-  
35 nitrophenyl)ethanamine (2C-N).

36 NEW PARAGRAPH. as. 2-(2,5-Dimethoxy-4-(n)-  
37 propylphenyl)ethanamine (2C-P).

38 Sec. 50. Section 124.204, subsection 6, paragraph  
39 i, subparagraph (3), Code 2015, is amended by striking  
40 the subparagraph and inserting in lieu thereof the  
41 following:

42 (3) 3,4-Methylenedioxy-N-methylcathinone  
43 (methyline).

44 Sec. 51. Section 124.204, subsection 6, paragraph  
45 i, subparagraphs (18), (19), (20), (21), and (22), Code  
46 2015, are amended by striking the subparagraphs and  
47 inserting in lieu thereof the following:

48 (18) 4-methyl-N-ethylcathinone. Other names:

49 4-MEC, 2-(ethylamino)-1-(4-methylphenyl)propan-1-one.

50 (19) 4-methyl-alpha6 pyrrolidinopropiophenone.

1 Other names: 4-MePPP, MePPP,  
2 4-methyl-[alpha]-pyrrolidinopropiophenone, 8  
3 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one.  
4 (20) Pentedrone. Other names:  
5 [alpha]-methylaminovalerophenone,  
6 2-(methylamino)-1-phenylpentan-1-one.  
7 (21) Pentyllone. Other names: bk-MBDP,  
8 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one.  
9 (22) Alpha-pyrrolidinobutiophenone. Other names:  
10 [alpha]-PBP, 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.  
11 Sec. 52. Section 124.204, subsection 6, paragraph  
12 i, subparagraphs (23), (24), (25), and (26), Code 2015,  
13 are amended by striking the subparagraphs.  
14 Sec. 53. Section 124.204, subsection 9, Code 2015,  
15 is amended by adding the following new paragraphs:  
16 NEW PARAGRAPH. 0a. HU-210.  
17 [(6aR,10aR)-9-(hydroxymethyl)-  
18 6,6-dimethyl-3-(2-methyloctan-2-yl) 6a,7,10,10a-  
19 tetrahydrobenzo[c] chromen-1-ol)].  
20 NEW PARAGRAPH. 00a. HU-211(dexanabinol,  
21 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
22 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]  
23 chromen-1-ol).  
24 NEW PARAGRAPH. 000a. Unless specifically exempted  
25 or unless listed in another schedule, any material,  
26 compound, mixture, or preparation which contains any  
27 quantity of cannabimimetic agents, or which contains  
28 their salts, isomers, and salts of isomers whenever the  
29 existence of such salts, isomers, and salts of isomers  
30 is possible within the specific chemical designation.  
31 (1) The term "cannabimimetic agents" means any  
32 substance that is a cannabinoid receptor type 1 (CB1  
33 receptor) agonist as demonstrated by binding studies  
34 and functional assays within any of the following  
35 structural classes:  
36 (a) 2-(3-hydroxycyclohexyl)phenol with substitution  
37 at the 5-position of the phenolic ring by alkyl or  
38 alkenyl, whether or not substituted on the cyclohexyl  
39 ring to any extent.  
40 (b) 3-(1-naphthoyl)indole or  
41 3-(1-naphthylmethane)indole by substitution at the  
42 nitrogen atom of the indole ring, whether or not  
43 further substituted on the indole ring to any extent,  
44 whether or not substituted on the naphthoyl or naphthyl  
45 ring to any extent.  
46 (c) 3-(1-naphthoyl)pyrrole by substitution at the  
47 nitrogen atom of the pyrrole ring, whether or not  
48 further substituted in the pyrrole ring to any extent,  
49 whether or not substituted on the naphthoyl ring to any  
50 extent.

1 (d) 1-(1-naphthylmethylene)indene by substitution  
2 of the 3-position of the indene ring, whether or not  
3 further substituted in the indene ring to any extent,  
4 whether or not substituted on the naphthyl ring to any  
5 extent.  
6 (e) 3-phenylacetylindole or 3-benzoylindole by  
7 substitution at the nitrogen atom of the indole ring,  
8 whether or not further substituted in the indole ring  
9 to any extent, whether or not substituted on the phenyl  
10 ring to any extent.  
11 (2) Such terms include:  
12 (a) CP 47,497 and homologues  
13 5-(1,1-dimethylheptyl)-2-  
14 [(1R,3S)-3-hydroxycyclohexyl]phenol.  
15 (b) JWH-018 and AM678  
16 1-Pentyl-3-(1-naphthoyl)indole.  
17 (c) JWH-073 1-Butyl-3-(1-naphthoyl)indole.  
18 (d) JWH-200[1-[2-(4-morpholinyl)ethyl]-1H-  
19 indol-3-yl]-1-naphthalenyl-methanone.  
20 (e) JWH-19 1-hexyl-3-(1-naphthoyl)indole.  
21 (f) JWH-81  
22 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.  
23 (g) JWH-122  
24 1-pentyl-3-(4-methyl-1-naphthoyl)indole.  
25 (h) JWH-250  
26 1-pentyl-3-(2-methoxyphenylacetyl)indole.  
27 (i) RCS-4 and SR-19  
28 1-pentyl-3-[(4methoxy)-benzoyl]indole.  
29 (j) RCS-8 and [SR 18](#) 1-cyclohexylethyl-3-  
30 (2-methoxyphenylacetyl)indole.  
31 (k) AM2201  
32 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.  
33 (l) JWH-203  
34 1-pentyl-3-(2-chlorophenylacetyl)indole.  
35 (m) JWH-398  
36 1-pentyl-3-(4-chloro-1-naphthoyl)indole.  
37 (n) AM694  
38 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.  
39 (o) Cannabicyclohexanol or CP-47,497 C8-homolog 5-  
40 (1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.  
41 NEW  
42 PARAGRAPH. 0d. N-(1-amino-3-methyl-1-oxobutan-2-  
43 yl)-1-(4- fluorobenzyl)-1H-indazole-3-carboxamide.  
44 Other names: AB-FUBINACA.  
45 NEW PARAGRAPH. 00d. N-(1-amino-  
46 3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-  
47 1 H-indazole-3-carboxamide. Other names: ADB-PINACA.  
48 NEW PARAGRAPH. 000d. Quinolin-8-yl  
49 1-pentyl-1H-indole-3-carboxylate.  
50 Other names: PB-22, QUPIC.

1     NEW PARAGRAPH.   0000d.   Quinolin-8-yl  
2 1-(5-fluoropentyl)-1H-indole-3-carboxylate.   Other  
3 names: 5-fluoro-PB-22, 5F-PB-22.  
4 NEW  
5 PARAGRAPH.   00000d.   N-(1-amino-3-methyl-1-oxobutan-  
6 2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other names:  
7 AB-PINACA.  
8 NEW  
9 PARAGRAPH.   000000d.   N-(1-amino-3-methyl-1-oxobutan-  
10 2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.  
11 Other names: AB-CHMINACA.  
12 NEW  
13 PARAGRAPH.   0000000d.   [1-(5-fluoropentyl)-1H-indazol-  
14 3-yl](naphthalen-1-yl)methanone. Other names:  
15 THJ-2201.  
16     Sec. 54.   Section 124.208, subsection 5, paragraph  
17 a, subparagraphs (3) and (4), Code 2015, are amended by  
18 striking the subparagraphs.  
19     Sec. 55.   Section 124.210, subsection 2, Code 2015,  
20 is amended by adding the following new paragraph:  
21     NEW PARAGRAPH.   c.   2-[(dimethylamino)methyl]-1-  
22 (3-methoxyphenyl)cyclohexanol, its salts, optical  
23 and geometric isomers, and salts of these isomers  
24 (including tramadol).  
25     Sec. 56.   Section 124.210, subsection 3, Code 2015,  
26 is amended by adding the following new paragraphs:  
27     NEW PARAGRAPH.   bb.   Alfaxalone.  
28     NEW PARAGRAPH.   bc.   Suvorexant.  
29     Sec. 57.   Section 124.401, subsection 1, unnumbered  
30 paragraph 1, Code 2015, is amended to read as follows:  
31     Except as authorized by this chapter, it is unlawful  
32 for any person to manufacture, deliver, or possess with  
33 the intent to manufacture or deliver, a controlled  
34 substance, a counterfeit substance, ~~or~~ a simulated  
35 controlled substance, or an imitation controlled  
36 substance, or to act with, enter into a common scheme  
37 or design with, or conspire with one or more other  
38 persons to manufacture, deliver, or possess with  
39 the intent to manufacture or deliver a controlled  
40 substance, a counterfeit substance, ~~or~~ a simulated  
41 controlled substance, or an imitation controlled  
42 substance.  
43     Sec. 58.   Section 124.401, subsection 1, paragraph  
44 a, unnumbered paragraph 1, Code 2015, is amended to  
45 read as follows:  
46     Violation of this subsection, with respect to  
47 the following controlled substances, counterfeit  
48 substances, ~~or~~ simulated controlled substances, or  
49 imitation controlled substances, is a class "B" felony,  
50 and notwithstanding section 902.9, subsection 1,

1 paragraph "b", shall be punished by confinement for no  
2 more than fifty years and a fine of not more than one  
3 million dollars:

4 Sec. 59. Section 124.401, subsection 1, paragraph  
5 a, Code 2015, is amended by adding the following new  
6 subparagraph:

7 NEW SUBPARAGRAPH. (8) More than ten kilograms of a  
8 mixture or substance containing any detectable amount  
9 of those substances identified in section 124.204,  
10 subsection 9.

11 Sec. 60. Section 124.401, subsection 1, paragraph  
12 b, unnumbered paragraph 1, Code 2015, is amended to  
13 read as follows:

14 Violation of this subsection with respect to  
15 the following controlled substances, counterfeit  
16 substances, ~~or~~ simulated controlled substances, or  
17 imitation controlled substances is a class "B" felony,  
18 and in addition to the provisions of section 902.9,  
19 subsection 1, paragraph "b", shall be punished by a  
20 fine of not less than five thousand dollars nor more  
21 than one hundred thousand dollars:

22 Sec. 61. Section 124.401, subsection 1, paragraph  
23 b, Code 2015, is amended by adding the following new  
24 subparagraph:

25 NEW SUBPARAGRAPH. (9) More than five kilograms but  
26 not more than ten kilograms of a mixture or substance  
27 containing any detectable amount of those substances  
28 identified in section 124.204, subsection 9.

29 Sec. 62. Section 124.401, subsection 1, paragraph  
30 c, unnumbered paragraph 1, Code 2015, is amended to  
31 read as follows:

32 Violation of this subsection with respect to  
33 the following controlled substances, counterfeit  
34 substances, ~~or~~ simulated controlled substances, or  
35 imitation controlled substances is a class "C" felony,  
36 and in addition to the provisions of section 902.9,  
37 subsection 1, paragraph "d", shall be punished by a  
38 fine of not less than one thousand dollars nor more  
39 than fifty thousand dollars:

40 Sec. 63. Section 124.401, subsection 1, paragraph  
41 c, Code 2015, is amended by adding the following new  
42 subparagraph:

43 NEW SUBPARAGRAPH. (8) Five kilograms or less of a  
44 mixture or substance containing any detectable amount  
45 of those substances identified in section 124.204,  
46 subsection 9.

47 Sec. 64. Section 124.401, subsection 1, paragraph  
48 c, subparagraph (8), Code 2015, is amended to read as  
49 follows:

50 ~~-(8)-~~ (9) Any other controlled substance,

1 counterfeit substance, ~~or~~ simulated controlled  
2 substance, or imitation substance classified in  
3 schedule I, II, or III, except as provided in paragraph  
4 "d".

5 Sec. 65. Section 124.401, subsection 1, paragraph  
6 d, Code 2015, is amended to read as follows:

7 d. Violation of this subsection, with respect  
8 to any other controlled substances, counterfeit  
9 substances, ~~or~~ simulated controlled substances  
10 ~~classified in section 124.204, subsection 4, paragraph~~  
11 ~~"ai", or section 124.204, subsection 6, paragraph "i",~~  
12 ~~or, or imitation controlled substances~~ classified  
13 in schedule IV or V is an aggravated misdemeanor.  
14 However, violation of this subsection involving  
15 fifty kilograms or less of marijuana or involving  
16 flunitrazepam is a class "D" felony.

17 Sec. 66. Section 124.401, subsection 2, Code 2015,  
18 is amended to read as follows:

19 2. If the same person commits two or more acts  
20 which are in violation of subsection 1 and the acts  
21 occur in approximately the same location or time  
22 period so that the acts can be attributed to a single  
23 scheme, plan, or conspiracy, the acts may be considered  
24 a single violation and the weight of the controlled  
25 substances, counterfeit substances, ~~or~~ simulated  
26 controlled substances, or imitation controlled  
27 substances involved may be combined for purposes of  
28 charging the offender.

29 Sec. 67. Section 124.401, subsection 5, unnumbered  
30 paragraph 1, Code 2015, is amended to read as follows:

31 It is unlawful for any person knowingly or  
32 intentionally to possess a controlled substance unless  
33 such substance was obtained directly from, or pursuant  
34 to, a valid prescription or order of a practitioner  
35 while acting in the course of the practitioner's  
36 professional practice, or except as otherwise  
37 authorized by this chapter. Any person who violates  
38 this subsection is guilty of a serious misdemeanor for  
39 a first offense. A person who commits a violation of  
40 this subsection and who has previously been convicted  
41 of violating this chapter or chapter ~~124A~~, 124B, or  
42 453B, or chapter 124A as it existed prior to July  
43 1, 2015, is guilty of an aggravated misdemeanor. A  
44 person who commits a violation of this subsection and  
45 has previously been convicted two or more times of  
46 violating this chapter or chapter ~~124A~~, 124B, or 453B  
47 is guilty of a class "D" felony.

48 Sec. 68. Section 124.401A, Code 2015, is amended to  
49 read as follows:

50 124.401A Enhanced penalty for manufacture or



1 distribution to persons on certain real property.  
2 In addition to any other penalties provided in  
3 this chapter, a person who is eighteen years of age  
4 or older who unlawfully manufactures with intent to  
5 distribute, distributes, or possesses with intent to  
6 distribute a substance or counterfeit substance listed  
7 in schedule I, II, or III, or a simulated or imitation  
8 controlled substance represented to be a controlled  
9 substance classified in schedule I, II, or III, to  
10 another person who is eighteen years of age or older in  
11 or on, or within one thousand feet of the real property  
12 comprising a public or private elementary or secondary  
13 school, public park, public swimming pool, public  
14 recreation center, or on a marked school bus, may be  
15 sentenced up to an additional term of confinement of  
16 five years.

17 Sec. 69. Section 124.401B, Code 2015, is amended to  
18 read as follows:

19 124.401B Possession of controlled substances on  
20 certain real property ---- additional penalty.

21 In addition to any other penalties provided in this  
22 chapter or another chapter, a person who unlawfully  
23 possesses a substance listed in schedule I, II, or  
24 III, or a simulated or imitation controlled substance  
25 represented to be a controlled substance classified  
26 in schedule I, II, or III, in or on, or within one  
27 thousand feet of the real property comprising a public  
28 or private elementary or secondary school, public park,  
29 public swimming pool, public recreation center, or on  
30 a marked school bus, may be sentenced to one hundred  
31 hours of community service work for a public agency  
32 or a nonprofit charitable organization. The court  
33 shall provide the offender with a written statement of  
34 the terms and monitoring provisions of the community  
35 service.

36 Sec. 70. Section 124.406, subsection 2, Code 2015,  
37 is amended to read as follows:

38 2. A person who is eighteen years of age or older  
39 who:

40 a. Unlawfully distributes or possesses with the  
41 intent to distribute a counterfeit substance listed  
42 in schedule I or II, or a simulated or imitation  
43 controlled substance represented to be a substance  
44 classified in schedule I or II, to a person under  
45 eighteen years of age commits a class "B" felony.  
46 However, if the substance was distributed in or on,  
47 or within one thousand feet of, the real property  
48 comprising a public or private elementary or secondary  
49 school, public park, public swimming pool, public  
50 recreation center, or on a marked school bus, the

1 person shall serve a minimum term of confinement of ten  
2 years.

3 b. Unlawfully distributes or possesses with intent  
4 to distribute a counterfeit substance listed in  
5 schedule III, or a simulated or imitation controlled  
6 substance represented to be any substance listed in  
7 schedule III, to a person under eighteen years of age  
8 who is at least three years younger than the violator  
9 commits a class "C" felony.

10 c. Unlawfully distributes a counterfeit substance  
11 listed in schedule IV or V, or a simulated or imitation  
12 controlled substance represented to be a substance  
13 listed in schedule IV or V, to a person under eighteen  
14 years of age who is at least three years younger than  
15 the violator commits an aggravated misdemeanor.

16 Sec. 71. Section 124.415, Code 2015, is amended to  
17 read as follows:

18 124.415 Parental and school notification ---- persons  
19 under eighteen years of age.

20 A peace officer shall make a reasonable effort to  
21 identify a person under the age of eighteen discovered  
22 to be in possession of a controlled substance,  
23 counterfeit substance, ~~or~~ simulated controlled  
24 substance, or imitation controlled substance in  
25 violation of this chapter, and if the person is not  
26 referred to juvenile court, the law enforcement agency  
27 of which the peace officer is an employee shall make  
28 a reasonable attempt to notify the person's custodial  
29 parent or legal guardian of such possession, whether  
30 or not the person is arrested, unless the officer has  
31 reasonable grounds to believe that such notification  
32 is not in the best interests of the person or will  
33 endanger that person. If the person is taken into  
34 custody, the peace officer shall notify a juvenile  
35 court officer who shall make a reasonable effort to  
36 identify the elementary or secondary school the person  
37 attends, if any, and to notify the superintendent of  
38 the school district, the superintendent's designee,  
39 or the authorities in charge of the nonpublic school  
40 of the taking into custody. A reasonable attempt to  
41 notify the person includes but is not limited to a  
42 telephone call or notice by first-class mail.

43 Sec. 72. NEW SECTION. 124.417 Imitation controlled  
44 substances ---- exceptions.

45 It is not unlawful under this chapter for a person  
46 registered under section 124.302, to manufacture,  
47 deliver, or possess with the intent to manufacture or  
48 deliver, or to act with, one or more other persons  
49 to manufacture, deliver, or possess with the intent  
50 to manufacture or deliver an imitation controlled

1 substance for use as a placebo by a registered  
2 practitioner in the course of professional practice or  
3 research.

4 Sec. 73. Section 124.502, subsection 1, paragraph  
5 a, Code 2015, is amended to read as follows:

6 a. A district judge or district associate judge,  
7 within the court's jurisdiction, and upon proper  
8 oath or affirmation showing probable cause, may issue  
9 warrants for the purpose of conducting administrative  
10 inspections under this chapter or a related rule  
11 ~~or under chapter 124A~~. The warrant may also permit  
12 seizures of property appropriate to the inspections.  
13 For purposes of the issuance of administrative  
14 inspection warrants, probable cause exists upon showing  
15 a valid public interest in the effective enforcement  
16 of the statute or related rules, sufficient to justify  
17 administrative inspection of the area, premises,  
18 building, or conveyance in the circumstances specified  
19 in the application for the warrant.

20 Sec. 74. Section 155A.6, subsection 3, Code 2015,  
21 is amended to read as follows:

22 3. The board shall establish standards for  
23 pharmacist-intern registration and may deny, suspend,  
24 or revoke a pharmacist-intern registration for failure  
25 to meet the standards or for any violation of the laws  
26 of this state, another state, or the United States  
27 relating to prescription drugs, controlled substances,  
28 or nonprescription drugs, or for any violation of this  
29 chapter or chapter 124, ~~124A~~, 124B, 126, 147, or 205,  
30 or any rule of the board.

31 Sec. 75. Section 155A.6A, subsection 5, Code 2015,  
32 is amended to read as follows:

33 5. The board may deny, suspend, or revoke the  
34 registration of, or otherwise discipline, a registered  
35 pharmacy technician for any violation of the laws  
36 of this state, another state, or the United States  
37 relating to prescription drugs, controlled substances,  
38 or nonprescription drugs, or for any violation of this  
39 chapter or chapter 124, ~~124A~~, 124B, 126, 147, 205, or  
40 272C, or any rule of the board.

41 Sec. 76. Section 155A.6B, subsection 5, Code 2015,  
42 is amended to read as follows:

43 5. The board may deny, suspend, or revoke the  
44 registration of a pharmacy support person or otherwise  
45 discipline the pharmacy support person for any  
46 violation of the laws of this state, another state,  
47 or the United States relating to prescription drugs,  
48 controlled substances, or nonprescription drugs, or for  
49 any violation of this chapter or chapter 124, ~~124A~~,  
50 124B, 126, 147, 205, or 272C, or any rule of the board.

1 Sec. 77. Section 155A.13A, subsection 3, Code 2015,  
2 is amended to read as follows:

3 3. Discipline. The board may deny, suspend, or  
4 revoke a nonresident pharmacy license for any violation  
5 of this section, section 155A.15, subsection 2,  
6 paragraph "a", "b", "d", "e", "f", "g", "h", or "i",  
7 chapter 124, ~~124A~~, 124B, 126, or 205, or a rule of the  
8 board.

9 Sec. 78. Section 155A.17, subsection 2, Code 2015,  
10 is amended to read as follows:

11 2. The board shall establish standards for drug  
12 wholesaler licensure and may define specific types of  
13 wholesaler licenses. The board may deny, suspend, or  
14 revoke a drug wholesale license for failure to meet the  
15 applicable standards or for a violation of the laws  
16 of this state, another state, or the United States  
17 relating to prescription drugs, devices, or controlled  
18 substances, or for a violation of this chapter, chapter  
19 124, ~~124A~~, 124B, 126, or 205, or a rule of the board.

20 Sec. 79. Section 155A.42, subsection 4, Code 2015,  
21 is amended to read as follows:

22 4. The board may deny, suspend, or revoke a limited  
23 drug and device distributor's license for failure to  
24 meet the applicable standards or for a violation of  
25 the laws of this state, another state, or the United  
26 States relating to prescription drugs or controlled  
27 substances, or for a violation of this chapter, chapter  
28 124, ~~124A~~, 124B, 126, 205, or 272C, or a rule of the  
29 board.

30 Sec. 80. REPEAL. Chapter 124A, Code 2015, is  
31 repealed.

32 DIVISION VI

33 ASSET VERIFICATION SYSTEM ---- MEDICAID

34 Sec. 81. MEDICAID PROGRAM ---- ASSET, INCOME, AND  
35 IDENTITY VERIFICATION. The department of human  
36 services shall issue a request for proposals to  
37 contract with a third-party vendor to establish an  
38 electronic asset, income, and identity eligibility  
39 verification system for the purposes of compliance  
40 with 42 U.S.C. {1396w requiring determination or  
41 redetermination of the eligibility of an individual who  
42 is an applicant for or recipient of medical assistance  
43 under the Medicaid state plan on the basis of being  
44 aged, blind, or disabled in accordance with 42 U.S.C.  
45 {1396w. The third-party vendor selected shall be able  
46 to demonstrate in writing its current relationships or  
47 contracts with financial institutions in the state and  
48 nationally. Participation by financial institutions in  
49 providing account balances for asset verification shall  
50 remain voluntary.

1 Sec. 82. EFFECTIVE UPON ENACTMENT. This division  
2 of this Act, being deemed of immediate importance,  
3 takes effect upon enactment.

4 DIVISION VII

5 DEPARTMENT OF MANAGEMENT ---- DUTIES

6 Sec. 83. Section 8.6, subsections 12 and 13, Code  
7 2015, are amended by striking the subsections.

8 Sec. 84. Section 8A.111, Code 2015, is amended by  
9 adding the following new subsection:

10 NEW SUBSECTION. 11. An annual report on the  
11 administration and promotion of equal opportunity in  
12 state contracts and services under section 19B.7.

13 Sec. 85. Section 19B.6, Code 2015, is amended to  
14 read as follows:

15 19B.6 Responsibilities of department of  
16 administrative services ~~and department of management~~ ----  
17 affirmative action.

18 The department of administrative services shall  
19 oversee the implementation of sections 19B.1 through  
20 19B.5 and shall work with the governor to ensure  
21 compliance with those sections, including the  
22 attainment of affirmative action goals and timetables,  
23 by all state agencies, excluding the state board  
24 of regents and its institutions. ~~The department of~~  
25 ~~management shall oversee the implementation of sections~~  
26 ~~19B.1 through 19B.5 and shall work with the governor to~~  
27 ~~ensure compliance with those sections, including the~~  
28 ~~attainment of affirmative action goals and timetables,~~  
29 ~~by the state board of regents and its institutions.~~

30 Sec. 86. Section 19B.7, subsection 1, unnumbered  
31 paragraph 1, Code 2015, is amended to read as follows:

32 Except as otherwise provided in subsection 2, the  
33 department of ~~management~~ administrative services is  
34 responsible for the administration and promotion of  
35 equal opportunity in all state contracts and services  
36 and the prohibition of discriminatory and unfair  
37 practices within any program receiving or benefiting  
38 from state financial assistance in whole or in part.  
39 In carrying out these responsibilities the department  
40 of ~~management~~ administrative services shall:

41 Sec. 87. Section 19B.8, Code 2015, is amended to  
42 read as follows:

43 19B.8 Sanctions.

44 The department of ~~management~~ administrative services  
45 may impose appropriate sanctions on individual state  
46 agencies, including the state board of regents and  
47 its institutions, and upon a community college, area  
48 education agency, or school district, in order to  
49 ensure compliance with state programs emphasizing  
50 equal opportunity through affirmative action, contract

1 compliance policies, and requirements for procurement  
2 goals for targeted small businesses.

3 DIVISION VIII

4 ANIMAL TRUCK WASH FACILITIES

5 Sec. 88. Section 459A.105, subsection 2, paragraph  
6 b, as enacted by 2015 Iowa Acts, [House File 583](#),  
7 section 10, is amended to read as follows:

8 b. (1) The requirements of section 459A.205,  
9 including rules adopted by the commission pursuant  
10 to that section shall apply to a small animal truck  
11 wash facility only to the extent required by section  
12 459A.205, subsection 4A.

13 (2) The requirements of ~~sections~~ section 459A.404,  
14 ~~and~~ <including rules adopted by the commission pursuant  
15 to that section, shall apply to a small animal truck  
16 wash facility. However, 459A.404, subsection 1, shall  
17 only apply to a small animal truck wash facility as  
18 provided in that subsection.

19 (3) The requirements of section 459A.410, including  
20 rules adopted by the commission under ~~those provisions~~  
21 that section, shall apply to a small animal truck wash  
22 facility.

23 Sec. 89. Section 459A.404, subsection 1, as enacted  
24 by 2015 Iowa Acts, [House File 583](#), section 41, is  
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. 0e. Paragraph "a" or "b" does not  
27 apply to a small animal truck wash facility.

28 DIVISION IX

29 COUNTY COURTHOUSES

30 Sec. 90. Section 602.6105, subsection 2, Code 2015,  
31 is amended to read as follows:

32 2. In any county having two county seats,  
33 court shall be held at each, ~~and, in the county of~~  
34 ~~Pottawattamie, court shall be held at Avoca, as well as~~  
35 ~~at the county seat.~~

36 Sec. 91. REPEAL. 1884 Iowa Acts, chapter 198, is  
37 repealed.

38 DIVISION X

39 IOWA EDUCATION SAVINGS PLAN TRUST

40 Sec. 92. Section 422.7, subsection 32, paragraph a,  
41 Code 2015, is amended to read as follows:

42 a. Subtract the maximum contribution that may be  
43 deducted for Iowa income tax purposes as a participant  
44 in the Iowa educational savings plan trust pursuant  
45 to section 12D.3, subsection 1, paragraph "a". For  
46 purposes of this paragraph, a participant who makes  
47 a contribution on or before the date prescribed in  
48 section 422.21 for making and filing an individual  
49 income tax return, excluding extensions, may elect to  
50 be deemed to have made the contribution on the last

1 day of the preceding calendar year. The director,  
2 after consultation with the treasurer of state, shall  
3 prescribe by rule the manner and method by which a  
4 participant may make an election authorized by the  
5 preceding sentence.

6 Sec. 93. RETROACTIVE APPLICABILITY. This division  
7 of this Act applies retroactively to January 1, 2015,  
8 for tax years beginning on or after that date.

9 DIVISION XI

10 TECHNOLOGY REINVESTMENT FUND

11 Sec. 94. TECHNOLOGY REINVESTMENT FUND ----  
12 APPROPRIATIONS. There is appropriated from the  
13 technology reinvestment fund created in section 8.57C  
14 to the following entities for the fiscal year beginning  
15 July 1, 2015, and ending June 30, 2016, the following  
16 amounts, or so much thereof as is necessary, to be used  
17 for the purposes designated:

18 1. OFFICE OF CHIEF INFORMATION OFFICER

19 a. For the updating and upgrading capabilities of  
20 aging voter registration systems and business services  
21 data systems to meet current and future expectations of  
22 open and transparent elections:

23 ..... \$ 450,000

24 b. For data processing services to support voter  
25 registration file maintenance and storage:

26 ..... \$ 234,000

27 2. DEPARTMENT OF EDUCATION

28 a. For the continued development and implementation  
29 of an educational data warehouse that will be utilized  
30 by teachers, parents, school district administrators,  
31 area education agency staff, department of education  
32 staff, and policymakers:

33 ..... \$ 600,000

34 The department may use a portion of the moneys  
35 appropriated in this lettered paragraph for an  
36 e-transcript data system capable of tracking students  
37 throughout their education via interconnectivity with  
38 multiple schools.

39 b. For maintenance and lease costs associated with  
40 connections for part III of the Iowa communications  
41 network:

42 ..... \$ 2,727,000

43 3. IOWA TELECOMMUNICATIONS AND TECHNOLOGY

44 COMMISSION

45 For replacement of equipment for the Iowa  
46 communications network:

47 ..... \$ 2,248,653

48 The commission may continue to enter into contracts  
49 pursuant to section 8D.13 for the replacement of  
50 equipment and for operations and maintenance costs of



1 the network.

2 In addition to moneys appropriated in this  
3 subsection, the commission may use a financing  
4 agreement entered into by the treasurer of state in  
5 accordance with section 12.28 for the replacement  
6 of equipment for the network. For purposes of this  
7 subsection, the treasurer of state is not subject to  
8 the maximum principal limitation contained in section  
9 12.28, subsection 6. Repayment of any amounts financed  
10 shall be made from receipts associated with fees  
11 charged for use of the network.

12 4. DEPARTMENT OF HUMAN RIGHTS

13 For the costs associated with the justice enterprise  
14 data warehouse:

15 ..... \$ 159,474

16 5. DEPARTMENT OF MANAGEMENT

17 a. For the continued development and implementation  
18 of a searchable database that can be placed on the  
19 internet for budget and financial information:

20 ..... \$ 45,000

21 b. For completion of the comprehensive electronic  
22 grant management system:

23 ..... \$ 50,000

24 6. DEPARTMENT OF PUBLIC HEALTH

25 a. For the costs associated with the review of all  
26 department of public health databases applications and  
27 systems in use to identify efficiencies:

28 ..... \$ 400,000

29 b. For acquisition of software relating to  
30 the licensure and regulation of the practice of  
31 polysomnography:

32 ..... \$ 36,000

33 7. DEPARTMENT OF PUBLIC SAFETY

34 For the provision of a statewide public safety  
35 radio network and the purchase of compatible radio  
36 communications equipment with the goal of achieving  
37 compliance with the federal communications commission's  
38 narrowband mandate deadline, and for achieving  
39 interoperability, as defined in section 80.28:

40 ..... \$ 1,874,000

41 8. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
42 MANAGEMENT

43 For the implementation of a statewide mass  
44 notification and emergency messaging system:

45 ..... \$ 400,000

46 Sec. 95. REVERSION. For purposes of section 8.33,  
47 unless specifically provided otherwise, unencumbered  
48 or unobligated moneys made from an appropriation in  
49 this division of this Act shall not revert but shall  
50 remain available for expenditure for the purposes

1 designated until the close of the fiscal year that ends  
2 three years after the end of the fiscal year for which  
3 the appropriation is made. However, if the project  
4 or projects for which such appropriation was made are  
5 completed in an earlier fiscal year, unencumbered or  
6 unobligated moneys shall revert at the close of that  
7 same fiscal year.

8 DIVISION XII  
9 RADIO COMMUNICATIONS UPGRADE

10 Sec. 96. MORTGAGE SERVICING SETTLEMENT FUND ----  
11 DEPARTMENT OF PUBLIC SAFETY.

12 1. There is transferred from the mortgage servicing  
13 settlement fund created in 2012 Iowa Acts, chapter  
14 1138, section 7, subsection 1, to the department  
15 of public safety for the fiscal year beginning July  
16 1, 2014, and ending June 30, 2015, the amount of  
17 \$626,000 for the provision of a statewide public safety  
18 radio network and the purchase of compatible radio  
19 communications equipment with the goal of achieving  
20 compliance with the federal communications commission's  
21 narrowband mandate deadline, and for achieving  
22 interoperability, as defined in section 80.28.

23 2. Notwithstanding section 8.33, moneys  
24 appropriated in this section that remain unencumbered  
25 or unobligated at the close of the fiscal year shall  
26 not revert but shall remain available for expenditure  
27 for the purposes designated until the close of the  
28 succeeding fiscal year.

29 Sec. 97. EFFECTIVE UPON ENACTMENT. This division  
30 of this Act, being deemed of immediate importance,  
31 takes effect upon enactment.>

32 2. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson